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FILED

SEP 09 2022

DEPARTMENT OF REAL ESTATE
By B.Nichols

8 BEFORE THE DEPARTMENT OF REAL ESTATE
9
STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of:)
12 CRYSTAL MARIE KANAWYER,) No. H-7156 SAC
13 Respondent.) ACCUSATION

14 The Complainant, TRICIA D. PARKHURST, acting in her official capacity as a
15 Supervising Special Investigator of the State of California, for cause of Accusation against
16 CRYSTAL MARIE KANAWYER (“Respondent”), is informed and alleges as follows:

17 1

18 Respondent is presently licensed and/or has license rights under the Real Estate
19 Law, Part 1 of Division 4, of the Business and Professions Code (“the Code”) as a real estate
20 salesperson.

21 CRIMINAL CONVICTION

22 2

23 On or about May 20, 2021, in the Circuit Court of the State of Oregon, County of
24 Clackamas, Case No. 20CR35631, Respondent was convicted of violating Oregon Revised
25 Statutes Section 163.245 (custodial interference), a misdemeanor which bears a substantial
26 relationship under Section 2910, Title 10, California Code of Regulations (“the Regulations”) to
27 the qualifications, functions, or duties of a real estate licensee.

2 The facts alleged above in Paragraph 2 constitutes grounds under Sections 490
3 and 10177(b) of the Code for suspension or revocation of all licenses and license rights of
4 Respondent under Part 1 of Division 4 of the Code.

5 FAILURE TO DISCLOSE FILING OF INDICTMENT AND/OR CONVICTIONS

7 A diligent search was made of the records of the Department of Real Estate
8 ("Department") relating to Respondent's Real Estate Salesperson License No. 02019585. As a
9 result of said search, no record was discovered having been received from Respondent notifying
10 the Department, in writing, of any conviction, or the bringing of any complaint, information, or
11 indictment related to Paragraph 2, above.

13 The facts alleged above in Paragraphs 2 through 4 indicate Respondent's failure
14 to comply with Sections 10186.2(a)(1)(A), 10186.2(a)(1)(B), and 10186.2(a)(2) (failure to
15 report in writing to the Department of the bringing of a complaint, indictment, or information
16 charging a felony and/or a conviction of any felony or misdemeanor against Respondent within
17 30 days) of the Code, and constitute cause under Section 10177(d) (willful disregard or
18 violation of the Real Estate Law; Part 1 of Division 4 of the Code) for revocation of all licenses
19 and license rights of Respondent under said Real Estate Law.

20 COST RECOVERY

22 The Department will seek to recover costs of the investigation and prosecution of
23 this case pursuant to Section 10106 of the Code which provides, in pertinent part, that in any
24 order issued in resolution of a disciplinary proceeding before the Department, the Commissioner
25 may request the administrative law judge to direct a licensee found to have committed a violation
26 of this part to pay a sum not to exceed the reasonable costs of the investigation and enforcement
27 of the case.

WHEREFORE, Complainant prays that a hearing be conducted on the allegations of this Accusation and that upon proof thereof, a decision be rendered revoking all licenses and license rights of Respondent under the Real Estate Law, for the cost of investigation and enforcement as permitted by law, and for such other and further relief as may be proper under other provisions of law.

Tricia D. Langhans

TRICIA D. PARKHURST
Supervising Special Investigator

Dated at Sacramento, California, on
this 7th day of September, 2022.

DISCOVERY DEMAND

Pursuant to Sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the Department hereby makes demand for discovery pursuant to the guidelines set forth in the *Administrative Procedure Act*. Failure to provide Discovery to the Department may result in the exclusion of witnesses and documents at the hearing or other sanctions that the Office of Administrative Hearings deems appropriate.